



**APPLICATION FOR
REVIEW/AMENDMENT OF ORDER**

(INITIAL APPLICATION FORM)

Instructions

Welcome to the Northwest Territories Surface Rights Board (NWT SRB) Application for Review/Amendment of Order *Initial Application Form*. The purpose of this *Application for Review/Amendment of Order Form* is to provide applicants wishing the NWT SRB to review/amend an existing NWT SRB Order from the NWT SRB granting access (including compensation) to surface or subsurface land and/or water in the NWT to initiate the process set out in the *Northwest Territories Surface Rights Board Act* (S.N.W.T. 2014, c.17) and the NWT SRB *Rules of Procedure*.

The *Application for Review/Amendment Initial Order Application Form* may be found online at <https://nwtsrb.ca/contact-us>, by postal mail at P.O. Box 2580 Yellowknife, NT, X1A 2P9, via telephone at (867) 766-2822 or via fax at (867) 766-2823 and requesting a copy of the Form. Upon completion, the Form may be submitted to the NWT SRB via any of the above methods. Please note that separate NWT SRB application forms are available for Applications for Access to Land Orders, Claims for Unforeseen Damage Orders, Applications for Termination of existing NWT SRB Orders and Applications for Enforcement of NWT SRB Orders.

When submitting an *Application for Review/Amendment Form*, Applicants are encouraged to complete the *Application for Review/Amendment Form* in as much detail as possible. Upon receiving the *Application for Review/Amendment Form*, the NWT SRB will review the Form for completeness. In the event that the NWT SRB determines that it requires additional information, the Board will contact you using the contact information which you provide on the Form, and request such information. The *Application for Review/Amendment Form* will not be considered complete until the Board is satisfied that it has received all required information.

Once the NWT SRB determines that the *Application for Review/Amendment Form* is complete, it will provide the Applicant with stamped copies (paper and electronic) of the filed completed *Application for Review/Amendment Form*. Pursuant to the NWT SRB *Rules of Procedure*, the Applicant is required to personally serve a filed and stamped copy of the *Application for Review/Amendment Form* to all Parties, and to provide proof of service satisfactory to the NWT SRB. In the event that the Applicant is unable to effect personal service of the filed and stamped *Application for Review/Amendment Form*, the Applicant may make an application to the NWT SRB for an Order of Substitutional Service of the document.

Once the NWT SRB determines that the *Application for Review/Amendment* is complete, it will publish the *Application for Review/Amendment Form* on its website for public viewing.

1. NWT SRB Order to be Amended/Reviewed

Order Name/Number: _____

Order Date: _____

2. Applicant Information

Name: _____

(If a corporation please include full corporate name and attach current Certificate of Incorporation)

Address: _____

Telephone: _____

Fax: _____

E-Mail: _____

Website: _____

Contact: _____

3. Respondent Information

(Respondent is person with legal interest in land and/or water for which Application for Review/Amendment of Order is being sought)

Name: _____

Address: _____

Telephone: _____

Fax: _____

E-Mail: _____

Website: _____

Contact: _____

4. Third Party Information

(3rd Party is any person directly affected by this Application for Review/Amendment of Order)

Name: _____

Address: _____

Telephone: _____

Fax: _____

E-Mail: _____

Website: _____

Contact: _____

5. Location of Land and/or Water for Which Application for Review/Amendment of Order is Sought

Location of land and/or water for which Review/Amendment of Order is sought. Be sure to include legal description(s) (attach additional pages if required) and maps/diagrams if available:

6. Purpose for which Review/Amendment of Order is Sought

Provide details of the purpose(s) for which Review/Amendment of an Order is sought (attach additional pages if required). In the event that Review/Amendment of an Order is being sought with respect to a natural resource (ie. mineral) interest, please provide details of the mineral interest (attach additional pages if required). Include reference to all regulatory approvals obtained with respect to the proposed use of this land/water.

7. Details of Impacts Upon the Land for which Review/Amendment of Order is Sought

Provide details of the impact(s) upon the land and/or water which may occur as a result of Review/Amendment of the Order (attach additional pages if required):

8. Negotiations and Mediation

Section 29 of the NWT *Surface Rights Board Act* states:

29. (1) Subject to subsection (2), the Board is not authorized to consider an application for an order unless, in accordance with rules made under paragraph 90(a), the applicant has attempted in good faith to resolve the matter in dispute by negotiation and is unable to bring about a resolution of the dispute within a reasonable period.

(2) In the case of an application in respect of Tlicho lands, the Board is not authorized to consider the application unless the applicant has attempted in good faith to resolve the matter in dispute by mediation in accordance with 6.4 of the Tlicho Agreement and is unable to bring about a resolution of the dispute.

Sections 8.1 and 9.1 of the NWT SRB *Rules of Procedure* state:

8.1 The NWT SRB is not authorized to consider an Application for an Order involving non-Tlicho lands unless, in accordance with these Rules of Procedure, an Applicant has attempted in good faith to resolve a matter in dispute by negotiation and is unable to bring about a resolution of the dispute within a reasonable period.

9.1 The NWT SRB is not authorized to consider an Application for an Order involving Tlicho lands unless the Applicant has attempted in good faith to resolve the matter in dispute by mediation in accordance with Part 6 of the Tlicho Agreement and is unable to bring about a resolution of the dispute.

Negotiations/mediation have been carried out by the Applicant with the Respondent(s) with respect to the Applicant's Application for Review/Amendment of the Order in accordance with section 29 of the NWT *Surface Rights Board Act* and sections 8.1 or 8.2 of the Northwest Territories Surface Rights Board's *Rules of Procedure*.

Yes _____

No _____

If “yes”, please summarize the negotiations/mediation which have been carried out to date and the outcome(s) of those negotiations/mediation (attach additional pages if required):

If “no”, please explain why negotiations/mediation have not been carried out to date (attach additional pages if required):

Print Name of Applicant

Signature of Applicant

Date